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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/691,475

10/22/2003

Daishi Mori

9333-357

5028

7590

07/12/2005

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EXAMINER

BLOUNT, STEVEN

ART UNIT

PAPER NUMBER

2661

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/691,475

Applicant(s)

MORI ET AL.

Examiner

Steven Blount

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 2, 4, 6, and 8 - 19 is/are rejected.
- 7) ☒ Claim(s) 3, 5, 7 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,807,270 to Porter.

With regard to claim 1, Porter teaches checking a time stamp to see if data returned from a switch table is of a "valid time duration", wherein if it is, then it is returned "for use with the process terminating thereafter" – ie, it is used for routing the call. See col 8 lines 25 to 43, especially lines 38+. Although the process of "reading out data included in the body to execute predetermined processing" is not explicitly mentioned, the examiner takes Official Notice of the fact that this is what occurs when data packets are routed. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have read the data in the call packet of Porter in light of the Official Notice taken in order to properly route the packet taking into account different regional time zones.

With regard to claim 8, see the rejection above.

3. Claims 2, 4, and 9 - 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,807,270 to Porter as applied to claim 1 above, and further in view of U.S. patent 6,333,979 to Bondi et al.

Art Unit: 2661

With regard to claims 2 and 4, Porter teaches the invention as described above, but does not teach including geographical zone information in the header. The use of geographical zone information – ie, area code information as it relates to geographical zones in phone calls – is taught in Bondi et al in col 4 lines 61+.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided area code information to the packet of Porter in light of the teachings of Bondi et al in order to properly route the packet.

With regard to claim 9, see the rejection above.

With regard to claims 10 - 14, note that time zones are often based upon geographical markers such as roads. Further, with respect to claim 12, the header is not part of the device claimed, and is therefore not given patentable weight.

4. Claims 6 and 15 – 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,333,979 to Bondi et al.

With regard to claims 6 and 15, Bondi teaches the invention as described above. It is noted that while Bondi does not per se teach separate zone determination and message transferring units, one of ordinary skill in the art would have, at the time of the invention, found it obvious to separate the combined routing functions (including header reading means for determining information including area code, and the means for transferring the message) into separate units in order to make the device more modular and easier to service.

With regard to claims 16 - 19, see the rejections above.

Art Unit: 2661

5. Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,810,045 to Brune et al.

Brune teaches checking whether a packet has a valid time duration (col 2 lines 57+) and if so, "The transmission onto the bus is brought about" (col 6 lines 35+). It is further stated that an application receives the packet if it is not delayed (col 8 lines 17+). However, while an actual "application processing unit" is not explicitly mentioned, one of ordinary skill in the art would recognize that it is obvious that such a unit must be present in order to process the packet.

6. Claims 3, 5, 7, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to include the limitations of the base claim and any intervening claims.

7. Applicants remarks are moot in view of the new grounds of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Blount whose telephone number is 571 - 272 - 3071. The examiner can normally be reached on M-F 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Chau Nguyen, can be reached on 571 - 272 - 3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2661

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ajit Patel
Primary Examiner

SB


7/9/05